

The Professional Clerk

BY THE END OF THIS BROADCAST,
VIEWERS WILL BE ABLE TO:

- ☐ IDENTIFY CUSTOMER, COURT,
AND INDIVIDUAL EXPECTATIONS
FOR THE PROFESSIONAL CLERK.
- ☐ EXPLAIN THE IMPORTANCE OF A
PROFESSIONAL APPEARANCE.
- ☐ DESCRIBE BEHAVIORS
CONSISTENT WITH A
PROFESSIONAL CLERK



ADMINISTRATIVE OFFICE
OF THE COURTS

EDUCATION DIVISION/CENTER FOR
JUDICIAL EDUCATION AND RESEARCH

Code of Ethics: Professionalism

What's the connection?

“Employment in the court system is a public trust engendered by the citizens’ confidence in the professional knowledge and competency and personal integrity of the officers and employees of the judicial branch. A professional presents a businesslike image of methodical and systematic efficiency and does not abuse the position of power that special knowledge affords. A professional never criticizes a co-worker in public nor denigrates a customer at the counter. A professional raises conflict resolution to an art form, always seeking to preserve the dignity of the individuals involved in a dispute, thereby preserving dignity of the court. The word “respect” is never far from the professional’s mind.”

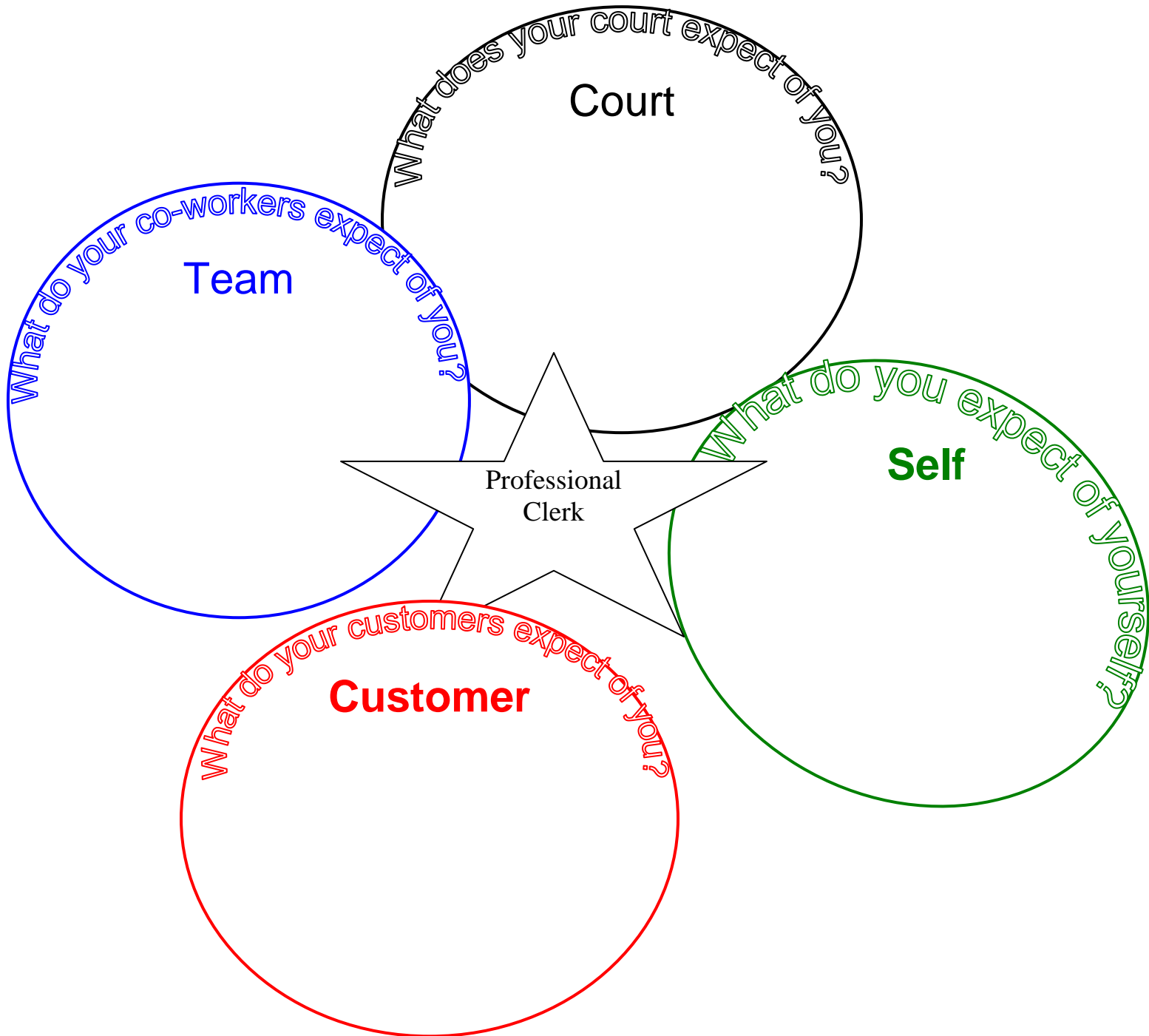
***Connection:** Tenet 3 serves as the standard to guide our interactions.

Why are court employees held to a higher standard of conduct?

- ✓ People come to the courts for equity
- ✓ People expect us to be fair
- ✓ People expect to be treated with respect and dignity

Worksheet: Expectations for a Professional Clerk

Directions: In each circle, jot down expectations for a professional clerk from the point of view of each group (Team, Court, Self, and Customer).



Worksheet: *About Face* Vignette

Directions: In the space provided, answer each of the questions based on the vignette you just viewed.

1. How would you rate the clerk's customer service with the customer at the counter?

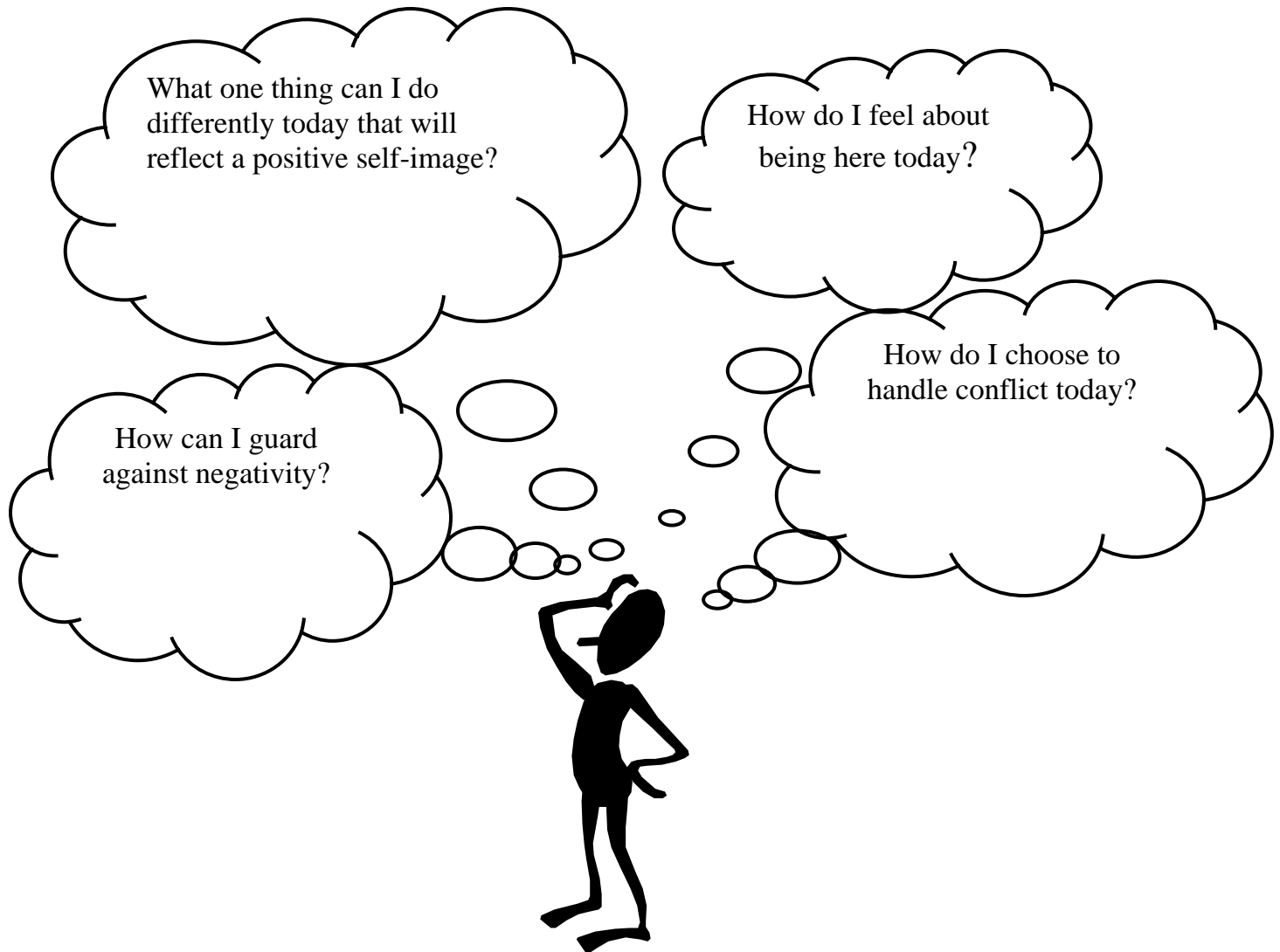
2. How would you describe the "internal" customer service?

3. If an "external" customer views this type of exchange between two court employees, what might he or she conclude about the court?

4. What could the co-worker do now to be sure she does not let this incident color the way she treats the public or other members of the team?

SELF TALK

Checking-in with yourself each morning through 'self-talk' helps to prepare you for the day's events with a positive outlook.



Benefits of Self-Talk include:

- ✓ More energy at the end of the day
- ✓ Less stress
- ✓ Appreciated by team, management, and customers
- ✓ Higher motivation
- ✓ Increased job satisfaction
- ✓ Increased productivity

Fighting the bad attitudes of other people

No matter how good an attitude you develop for yourself, you don't live in a vacuum. All around you are people who have negative attitudes towards life.

There's really nothing you can do about it. Just as how you are going to find bad drivers, no matter what road you take, you're going to find people who have an unenlightened view of life.

The key is not letting people pull you down to their level.

Here are six simple rules you can use to deal with people with horrible attitudes.

1. Stay responsible for your own attitude. You are always responsible for your own attitude, no matter what outside stimulus you may encounter. Once you decide that, it's suddenly easier to keep positive. Troubles may come, and troubles may go; nasty people may come, and nasty people may go; your attitude can stay positive, no matter what happens.

An easy phrase to use to keep yourself on track by is the famous one used by Alexander Haig, who was secretary of state at the time Ronald Reagan was shot. Haig told reporters, "I'm in charge here." Haig wasn't really in charge, and he didn't last long in the Reagan White House, but the phrase is a good one. **"I'm in charge here"** means you're ultimately responsible.

2. Realize you don't usually know what's going on with people. It could be that person has a troubled child, a sick spouse, financial troubles, elderly parents, job woes, no friends, health challenges, car problems, or hemorrhoids. You just don't know what's going on, and you shouldn't be judging them. If they're always nasty, perhaps that's the way they get what they want. They haven't tried any other method.

Steven Covey has a favorite phrase: "first seek to understand, then seek to be understood." Maybe you could give them a hand, if you learn to understand them. Try to befriend them, realizing that some nasty people will look at this as a sign of weakness, and stab you in the back anyway.

In his book "The Greatest Salesman in the World," Og Mandino has several "scrolls of success." One of those scrolls tells you to look at each person you meet, and say (to yourself, of course) "I love you." Sometimes, understanding is the best way to combat a bad attitude. If all else fails, it gives you more to use against them.

3. Realize it may just be a different way of reacting to the world than you know, and you can learn something from them.

I grew up in a little town, and when I started dealing with people who grew up in larger cities, I found many of them had a different mindset. In a small town, you learn

everybody's troubles, and it doesn't matter. In a larger city, you learn nobody's troubles, and like it that way. Sometimes, we can perceive a negative attitude in someone when all we're really encountering is a different way of looking at life. Learn more about the person, and learn from their strengths. Use those strengths to make yourself better.

4. Concentrate on content, not delivery. Some years ago, when I was doing some newspaper reporting, I was covering two speeches. One speaker was mesmerizing, but when I wrote down what he was saying, he wasn't saying a whole lot. The second speaker was subdued, but his speech contained a lot of meat in it. The difference was totally delivery. Often when someone has a negative approach to life, they may still deliver a lot of great information in what they say. Learn to ignore the attitude, and concentrate on the content.

5. Always be positive, no matter what. I'm not suggesting you ignore negative attitudes, only that you choose to not respond to it in a negative way. It doesn't really matter what kind of attitude gets thrown your way -- what matters is how you deal with it, and how you perceive its worth.

6. Help them to change, through example. By keeping a positive outlook, and dealing with people in a positive way, (even when their personal approach to life may be negative) you can make a real difference in others' lives. Positive people tend to be promoted higher than negative ones. Positive people tend to accomplish more out of life, and make more of an impact as they go through life.

Years ago, I was responsible for a team of people. One member of that team had a real problem with the former leader. He refused to work. When I became the team leader, I chose to ignore the former problems, and take a "leadership through example" approach. It reformed the way the "troubled" person looked at what he was doing -- only because I refused to let my personal approach to team leadership be dictated by what I had been told about that person.

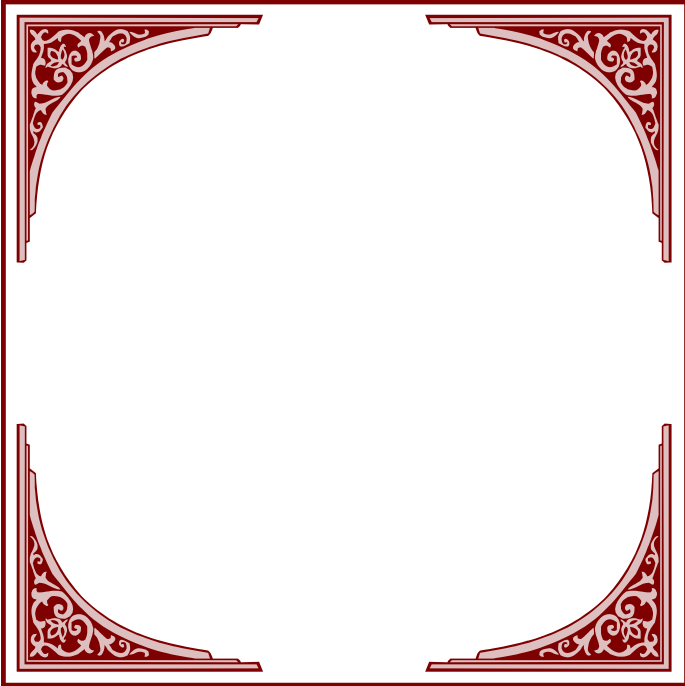
Example is a powerful motivator, for both positive and negative change.

Negative attitudes only impact us when we let them. By choosing to remain positive, we choose to keep our life oriented toward our needs and goals, and we can impact those around us in a positive way.

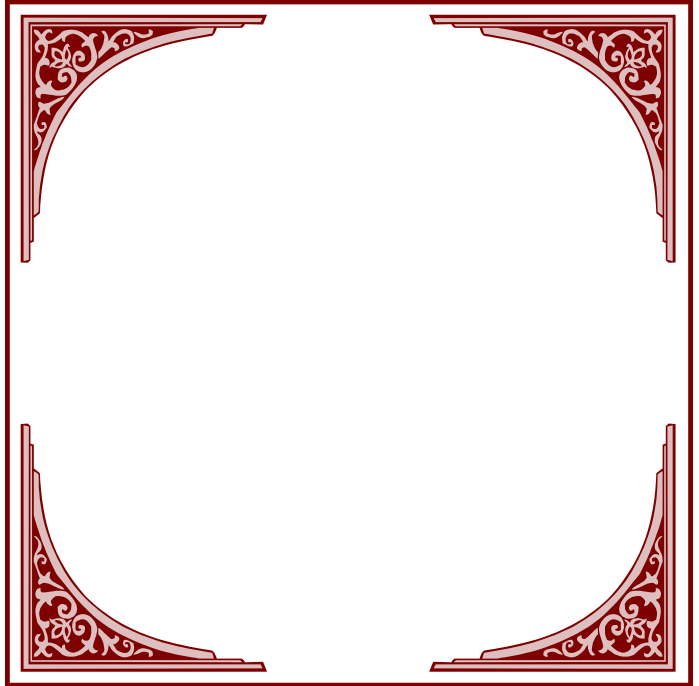
Worksheet: *First Impressions*

Directions: In each frame below, write down a few words or phrases about the people as you see them on screen. What comes to mind? What were your impressions?

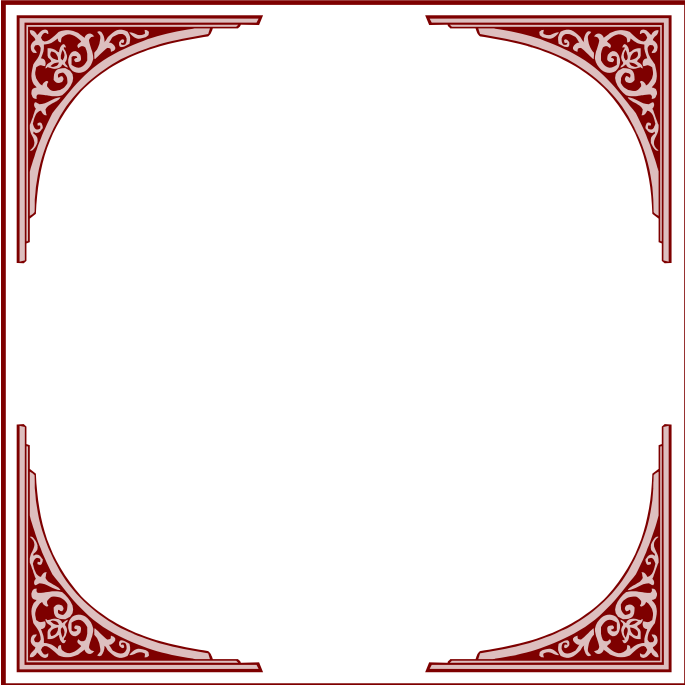
Person #1



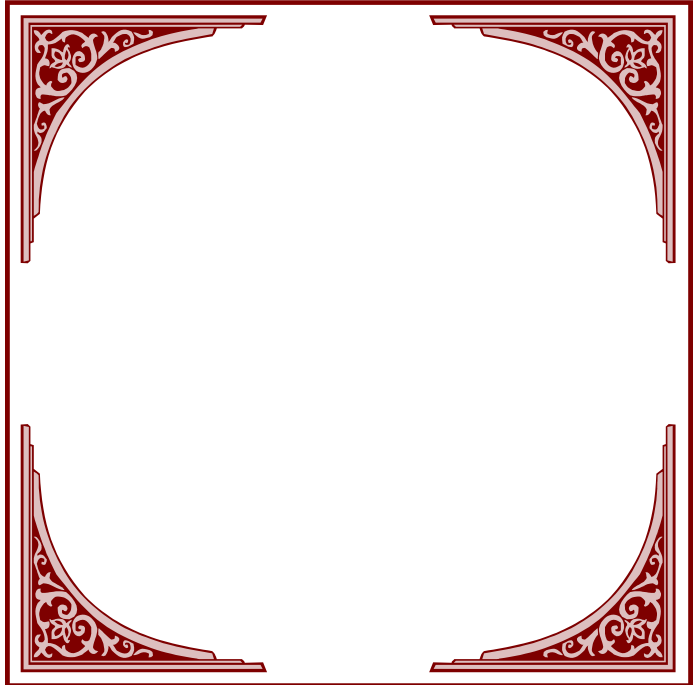
Person # 2



Person #3



Person # 4



APPEARANCE

Your appearance speaks volumes about your professionalism and your self image. This includes the clothes you wear, how you wear them, and the potential messages you are sending. Your dress and grooming should reflect how you wish others to view you and uphold the courts culture and values. Proper attire and grooming helps you control how you are perceived.

In our society, clothing acts as a communicator and you should view your dress as a business tool. Behavioral studies indicate that within 30 seconds of meeting a new person, over ten assumptions are made about that person:

- Social Status
- Economic Status
- Educational Attainment
- Occupation
- Marital Status
- Ancestry
- Trustworthiness
- Credibility
- Likelihood to Succeed
- Courtesy
- Health
- Competence
- Friendliness



Before you dress think about:

- What you will be doing;
- Where you will be going;
- Who you will be meeting with; and,
- How your clothing reflects your self-image.
 - Do I communicate professionalism and seriousness about the work I do? If not, what could I comfortably change?
 - Do I project respect and confidence in my abilities to do job? If not, what would work better?



Code of Ethics for Court Employees

Ask your supervisor or manager for a copy of the expanded version of the Code of Ethics if you don't already have it.

Tenet One: IMPARTIALITY

Provide impartial and evenhanded treatment of all persons

Tenet Two: PERSONAL INTEGRITY

Demonstrate the highest standards of personal integrity, honest, and truthfulness in all our professional and personal dealings, avoiding the misuse of court time, equipment, supplies, or facilities for personal business.

Tenet Three: PROFESSIONALISM

Behave toward all persons with respect, courtesy, and responsiveness, acting always to promote public esteem in the court system.

Tenet Four: CONFIDENTIALITY

Safeguard confidential information, both written and oral, unless disclosure is authorized by the court, refusing to use such information for personal advantage, and abstain at all times from public comment about pending court proceedings, except for strictly procedural matters.

Tenet Five: IMPROPRIETY

Refrain from any actual impropriety, such as breaking the law, soliciting funds on the job, receiving gifts or favors related to court employment, accepting outside employment that conflicts with court duties, or recommending private legal service providers.

Tenet Six: APPEARANCE OF IMPROPRIETY

Avoid any appearance of impropriety that might diminish the honor and dignity of the court.

Tenet Seven: PROHIBITION AGAINST GIVING LEGAL ADVICE

Serve the public by providing procedural assistance that is as helpful as possible without giving legal advice.



Code of Ethics for Court Employees – Continued

Tenet Eight: DUTY TO SERVE

Furnish accurate information as requested in a competent, cooperative and timely manner.

Tenet Nine: COMPETENCY

Participate in professional activities and associations, and educational programs to improve personal and professional skills. Keep abreast with law and rule changes.

Tenet Ten: DISCRIMINATION

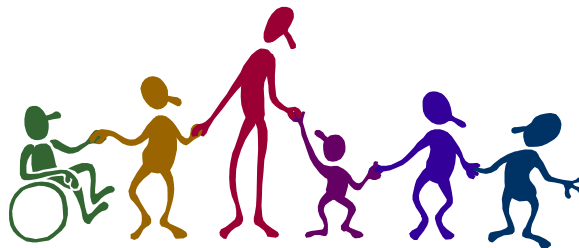
Guard against and, when necessary, repudiate any act of discrimination or bias based on race, gender, age, religion, national origin, language, appearance, or sexual orientation.

Tenet Eleven: HARASSMENT

Renounce any use of positional or personal power to harass another person sexually or in any way based on that person's religious beliefs, political affiliation, age, national origin, language, appearance, or other personal choices and characteristics.

Tenet Twelve: TECHNOLOGY

Protect the technological property of the court by preserving the confidentiality of electronically stored information and abstain from personal use of court computer system and hardware.



GUIDELINES

The following guidelines clarify and embellish the tenets to which we subscribe:

IMPARTIALITY	All persons coming to the court for assistance are entitled to fair and equitable treatment, regardless of their personal behavior or legal situation. Court employees must remember that they are often dealing with people who may be having one of the worst experiences of their lives. They must offer to angry, confused, uneducated, and sometimes deceitful customers the same level of competent and policy-neutral help that they provide to those who are pleasant and appreciative. While every court employee has the right to freedom of association or political expression, he or she does not have the right to take sides in a legal dispute, interject himself or herself into the legal decision-making process, second guess a judge's ruling, or give the appearance of partiality on a political issue that is likely to come before the court. The procedural integrity of the court must be protected at all times.
PERSONAL INTEGRITY	The fundamental attitudes and work habits of individual court employees are of vital importance. Honesty and truthfulness are paramount: employees should not, for example knowingly make omissions on time cards or personnel records; back date a court document for any reason unless ordered to do so by the court; falsely claim reimbursement for mileage or expenses; double dip from professional associations or other sources; lie about leaving work early for a doctor's appointment; misuse the telephone, facsimile machine, or copying machine; or take supplies home for private use. Each individual employee should also contribute to the integrity of the entire court staff by striving to avoid factionalism and inspire mutual loyalty and trust.
PROFESSIONALISM	Employment in the court system is a public trust engendered by the citizens' confidence in the professional knowledge and competency and personal integrity of the officers and employees of the judicial branch. A professional knows every aspect of his or her job and can provide complete, understandable answers to the public's questions. A professional presents a businesslike image of methodical and systematic efficiency and does not abuse the position of power that special knowledge affords. A professional never criticizes a co-worker in public nor denigrates a customer at the counter. A professional raises conflict resolution to an art form, always seeking to preserve the dignity of the individuals involved in a dispute, thereby preserving the dignity of the court. The word "respect" is never far from the professional's mind.

Guidelines Cont.

CONFIDENTIALITY	Sensitive information acquired by court employees in the course of discharging their official duties should never be revealed until it is made a matter of public record. Sometimes breaches of confidentiality do not involve intentional disclosure of official court records but are the result of innocent and casual remarks about pending or closed cases, about participants in litigation, or about juries, any of which could give attorneys, litigants, and reporters confidential information. Such remarks can seriously compromise a case or a person's standing in the community. Court staff should discuss cases only for legitimate reasons, and should handle sensational or sensitive cases with great care.
IMPROPRIETY	Improprieties can take many forms. Examples of improper behaviors include seeking any favor, soliciting any gift, or actually receiving any gift or the promise of one, whether it be money, services, travel, food, entertainment, or hospitality that could be construed as a reward for past or future services; improperly intervening to expedite administrative processes; or accepting private employment in conflict with the proper discharge of official court duties. In addition, any mode of conduct that casts doubt on the integrity and impartiality of the legal system is forbidden. While court employees cannot regulate the conduct of others, they can conduct themselves in a manner that inspires public confidence in the role they play in the pursuit of justice. Proper conduct involves daily and scrupulous affirmation of moral principles and observance of all laws, rules, policies, and procedures.
APPEARANCE OF IMPROPRIETY	Court employees are expected to refrain from engaging not only in improper behavior, but also in behavior that others might perceive to be improper. Any activity that gives the impression that court employees can be improperly influenced in the performance of their official duties is prohibited. A court employee should not, for example, seek or provide special consideration regarding traffic citations or parking violations; openly discuss the merits of cases pending before the court; or be overly solicitous to litigants or counsel, which could give the appearance of preferential treatment. To gauge the propriety of an action, consider how it would be reported to tomorrow's newspaper. Bear in mind that court employees are required to live up to a higher standard of ethical behavior than the general public.

Guidelines Cont.

PROHIBITION AGAINST GIVING LEGAL ADVICE	Given experience and visibility of court employees, it is natural for those who deal with the court, including attorneys and litigants as well as the general public, to ask questions such as: "Should I fight this?" "How do I fight this?" "To whom should I go for legal assistance?" "What does the law say?" Court employees can and should patiently explain how to file forms and pay fines, and should clarify legal language and the court's policies attendant to procedural due process. They must not, however, cross the line separating a court employee from a licensed legal practitioner by giving their opinion on the law or, worse, giving their opinion as the law. Court employees should cite this tenet when pressed by those seeking gratuitous legal advice.
DUTY OF SERVICE	A major goal of all court employees is to provide accurate and timely information. When giving information to customers, whether orally or in writing, present it in as easily understandable a format as the inquiry allows, and avoid legal jargon whenever possible. Court personnel are employed to serve and should strive to do everything possible to make things easier for customers rather than for themselves or the court organization. The category of customer should extend not only to the general public but also to attorneys, process servers, staff members of other justice agencies, and especially to fellow court employees. Colleagues are internal customers and should have their information service needs met with the same level of dispatch and consideration as external customers.
COMPETENCY	Court employees are encouraged to participate in professional activities and associations, and especially to take advantage of internal and external educational programs to improve their personal and professional skills. The laws and rules under which the courts operate are continually changing as a result of legislative actions, higher court decisions, and evolving values and technologies. Courts and their employees must perform efficiently despite this constant state of flux. Professional development may include attending classes, doing outside reading, participating in professional organizations, and soliciting ideas and information from others both during and after the work day. Court managers at all levels of the California court system should initiate and oversee ongoing professional growth programs for all court employees that include the study of this Code.

Guidelines Cont.

DISCRIMINATION	Each day court employees assist users of court services of many races, religions, national origins, languages, sexual orientations, and varieties of personal appearance. They may deal with accused felons, child abusers, participants in painful dissolution, those grieving from an injury or loss of a loved one, or people experiencing any one of numerous kinds of human pain or dysfunction. Court employees are expected to treat each other and each user of court services equally and with compassion. Equal access to the court system and equal treatment for all is the cornerstone of the administration of justice. Court employees must expose and discourage discrimination wherever it exists.
HARASSMENT	Court employees are to refrain from making sexual advances and insinuations that are inappropriate and offensive, or that could be perceived as such. Harassment may also take nonsexual forms such as verbal, physical, and psychological. The investigation of a harassment complaint is difficult because a determination will often be based on the credibility of the parties. A supervisor is obligated, however to conduct a prompt and thorough investigation of any allegation of harassment. If the investigation reveals that harassment has occurred, corrective action should be taken immediately. The supervisor should then conduct further inquiry to ensure that the action was effective and that the harasser has not retaliated against the complainant.
Guideline for Tenet Twelve TECHNOLOGY	Information retained in electronic files should be treated like any other official court document. Its confidentiality should be assumed unless otherwise specified. To preserve the integrity of electronic systems, court employees shall correct any errors or omissions, guard against sabotage in any form, scan and repair viruses when possible, and avoid using court equipment for purposes other than court business. Great care should be taken in the transmission of electronic data so that it would not embarrass the court or the sender if read by an unintended recipient. Court employees may not install personal software or equipment without prior approval of the court executive officer, nor shall they take copyrighted software outside the court for personal use. Questions about the ownership of intellectual property should be directed to an administrator.

The Professional Clerk

Worksheet: Professionalism Self Assessment

Directions: Circle the number that represents the extent to which you agree or disagree with each statement below.

5= Strongly Agree 4= Agree 3=Neutral 2= Disagree 1=Strongly Disagree

1. I consistently treat my *customers* fairly, courteously, and with respect. 5 4 3 2 1
2. I pride myself in my personal integrity. 5 4 3 2 1
3. I am efficient in my work. 5 4 3 2 1
4. I consistently treat my *co-workers* fairly, courteously, and with respect. 5 4 3 2 1
5. I am confident in my knowledge, skills, and abilities to perform my tasks well. 5 4 3 2 1
6. I strive to furnish accurate information in a competent, cooperative and timely manner. 5 4 3 2 1
7. I do not abuse the authority or power given to me in my position in any way. 5 4 3 2 1
8. I guard against pessimism and contribute to a friendly and effective work environment. 5 4 3 2 1
9. I know that my day-to-day tasks are directly linked to the goals of the courts. 5 4 3 2 1
10. I recognize that I am a court representative at all times and therefore avoid behaving in any way that diminishes honor and dignity of myself, my team, and that of the courts. 5 4 3 2 1
11. I actively seek ways to improve my work performance. 5 4 3 2 1
12. My attitude is one that is worth catching. 5 4 3 2 1

Add up the numbers you circled and enter your Total: _____

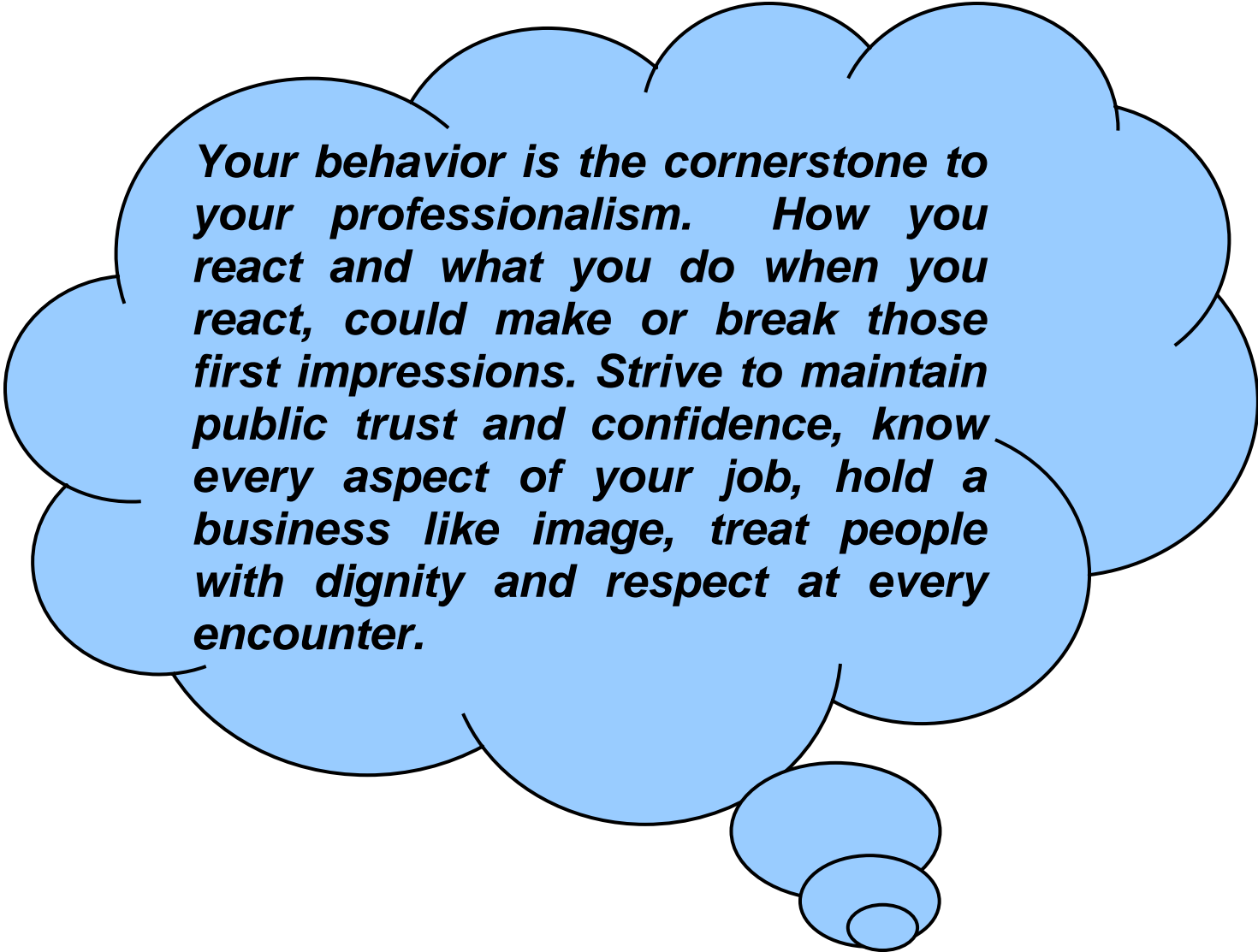
49 - 60	CONGRATULATIONS- you exemplify the professional clerk.
37 - 48	Keep up the great work! Learn from and mentor others on best practices.
25 - 36	You have professional attributes that may not be consistent. Make a plan with your supervisor to improve on your weaker areas.
24 or below	Keep your chin up. Work with your supervisor and respected peers to improve the areas which are weakest. Consider ways to increase job satisfaction.

Worksheet: Improving my Professionalism

Directions: Complete the Professionalism Self- Assessment worksheet. Select two statements that you answered strongly disagree (1) or disagree (2). For these two statements, in the space below, write a letter to yourself explaining why you disagreed to these statements and how you intend to improve these areas as a professional.



Final Thought



Your behavior is the cornerstone to your professionalism. How you react and what you do when you react, could make or break those first impressions. Strive to maintain public trust and confidence, know every aspect of your job, hold a business like image, treat people with dignity and respect at every encounter.

References:

Tish Grabski and Brenda Lussier, Staff Development Specialists, San Diego Superior Court, *Customer Service in the Court?*

Beverly Beuermann-King, 2000 *Work Smart Live Smart*

Training and Performance Sourcebook, 2003, McGraw Hill

Pat Chandler, Chief Deputy Clerk, Kern County Superior Court

Deidre Robertson, Trial Court Administrator, Los Angeles Superior Court

Code of Ethics Field Book for Trial Court Employees

Maggie Cimino, Education Specialist, Center for Judicial Education and Research

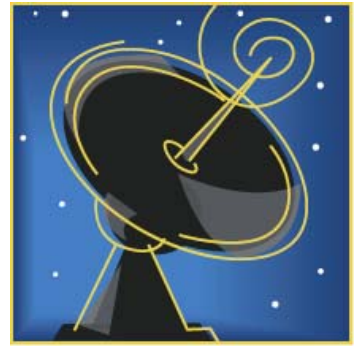
Lorraine Benavides, Staff Development Coordinator/Human Resources Supervisor, Ventura Superior Court

Claudia Fernandes, Education Specialist, Center for Judicial Education and Research

Linh Tran, Education Specialist, Administrative Office of the Courts, Education Division.

Please fax to (415) 557-1137 or (415) 557-1138

Broadcast Fax Form



To:

Fr:

Su: The Professional Clerk

Question(s):

*Questions not answered during the broadcast will be posted to the COMET site (www2.courtinfo.ca.gov/comet) with our panelists' responses.

Your Training Coordinator has the COMET login and password for you.

Court Operations Training

The Professional Clerk

Evaluation Form

1. How has this broadcast increased your understanding of professionalism? If so, what information did you find most helpful?

2. What questions do you still have?

3. What suggestions do you have for future broadcast topics?

4. Please rate the following broadcast elements of the program

	strongly agree			strongly disagree		
The activities in the course helped me learn the content...	5	4	3	2	1	
The course duration was the right length...	5	4	3	2	1	
The content of the course was relevant to my work needs...	5	4	3	2	1	
If applicable, issues of access and/or bias and stereotypes were appropriately addressed in the course...	5	4	3	2	1	

Other comments or suggestions:

Court Name _____ Number of Participants _____

Downlink Site Location: _____
(City)

Remember to check COMET (Court Online Mentoring, Education, and Training) at www.courtinfo.ca.gov/comet for training opportunities, resources and answers to your Frequently Asked Questions. See your local training coordinator for the password.



Please FAX completed form to: Jay Harrell at (415) 865-4335